

January 24, 2024

Nathan Ochsner, Clerk of Court

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****UNITED STATES OF AMERICA****v.****CHRISTOPHER DJUAN ROBERTS
WESLEY JAMES THOMAS,
XAVIER EDWARD JONES,****Defendants**§
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§**CRIMINAL NO. 4:24-cr-0025****INDICTMENT**

THE GRAND JURY CHARGES THAT:

INTRODUCTION

At all times material to this Indictment, Waffle House is a Norcross, Georgia based restaurant chain with locations throughout the United States. Waffle House is engaged in a business which buys perishable and non-perishable goods, sells food items and transacts in United States currency; these goods and currency travel in interstate commerce and affect interstate commerce.

At all times material to this Indictment, Denny's is a Spartanburg, South Carolina based restaurant chain with locations throughout the United States. Denny's is engaged in a business which buys perishable and non-perishable goods, sells food items and transacts in United States currency; these goods and currency travel in interstate commerce and affect interstate commerce.

COUNT ONE

Interference with Commerce by Robbery

On or about October 15, 2023, in the Houston Division of the Southern District of Texas,

**CHRISTOPHER DJUAN ROBERTS,
WESLEY JAMES THOMAS,
XAVIER EDWARD JONES,**

defendants herein, did knowingly and intentionally obstruct, delay, and affect interstate commerce and the movement of articles and commodities in commerce by means of robbery, as the terms “commerce” and “robbery” are defined in Title 18, United States Code, § 1951(b)(1) and (b)(3), in that the defendants did unlawfully take and obtain the property of Waffle House, located at 635 Rankin Road, Houston, Texas, which was in the possession and custody of an employee of Waffle House, namely, United States Currency, by means of actual and threatened force, violence, and fear of injury to those in lawful possession of those items.

In violation of Title 18, United States Code, § 1951(a).

COUNT TWO

Brandishing a Firearm During and in Relation to a Crime of Violence

On or about October 15, 2023, in the Houston Division of the Southern District of Texas,

**CHRISTOPHER DJUAN ROBERTS,
WESLEY JAMES THOMAS,
XAVIER EDWARD JONES,**

defendants herein, did knowingly brandish a firearm, namely, a handgun, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that being Interference with Commerce by Robbery, as alleged in Count One.

In violation of Title 18, United States Code, § 924(c)(1)(A)(ii).

COUNT THREE

Interference with Commerce by Robbery

On or about October 15, 2023, in the Houston Division of the Southern District of Texas,

**CHRISTOPHER DJUAN ROBERTS,
WESLEY JAMES THOMAS,
XAVIER EDWARD JONES,**

defendants herein, did knowingly and intentionally obstruct, delay, and affect interstate commerce and the movement of articles and commodities in commerce by means of robbery, as the terms “commerce” and “robbery” are defined in Title 18, United States Code, § 1951(b)(1) and (b)(3), in that the defendants did unlawfully take and obtain the property of Denny’s, located at 11320 North Freeway, Houston, Texas, which was in the possession and custody of an employee of Denny’s, namely, United States Currency, by means of actual and threatened force, violence, and fear of injury to those in lawful possession of those items.

In violation of Title 18, United States Code, §§ 1951(a).

COUNT FOUR

Brandishing a Firearm During and in Relation to a Crime of Violence

On or about October 15, 2023, in the Houston Division of the Southern District of Texas,

**CHRISTOPHER DJUAN ROBERTS,
WESLEY JAMES THOMAS,
XAVIER EDWARD JONES,**

defendants herein, did knowingly brandish a firearm, namely, a handgun, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that being Interference with Commerce by Robbery, as alleged in Count Three.

In violation of Title 18, United States Code, § 924(c)(1)(A)(ii).

COUNT FIVE

(POSSESSION OF A FIREARM BY A CONVICTED FELON)

On or about October 15, 2023, in the Houston Division of the Southern District of Texas,

CHRISTOPHER DJUAN ROBERTS

the defendant herein, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate and foreign commerce the following firearm, to wit: Springfield XD9, 9mm caliber handgun, SN XD218385

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

COUNT SIX

(POSSESSION OF A FIREARM BY A CONVICTED FELON)

On or about October 15, 2023, in the Houston Division of the Southern District of Texas,

WESLEY JAMES THOMAS

the defendant herein, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate and foreign commerce the following firearm, to wit: Glock 19X, .40 caliber handgun, SN BRRC537

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

NOTICE OF CRIMINAL FORFEITURE

Pursuant to Title 18, United States Code, §§ 924(d)(1), and Title 28, United States Code, Section 2461(c), the United States of America hereby gives notice to defendants,

**CHRISTOPHER DJUAN ROBERTS,
WESLEY JAMES THOMAS,
XAVIER EDWARD JONES**

that upon conviction of Brandishing a Firearm During a Crime of Violence, as charged in Counts Two and Fourt, all firearms and ammunition involved in or used in a violation of Title 18, United States Code, §§ 924(c)(1)(A)(ii), are subject to forfeiture.

A TRUE BILL:

Original Signature on File
FOREMAN OF THE GRAND JURY

ALAMDAR S. HAMDANI
United States Attorney

BY: *Brian Joseph Hrach*
BRIAN JOSEPH HRACH
Assistant United States Attorney